



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

DAVID PUTZER,)	
)	
Plaintiff,)	3:07-cv-00498-LRH (RAM)
)	
v.)	
)	<u>ORDER</u>
GLEN WHORTON, et al.,)	
)	
Defendants.)	
)	

Before this Court is Report and Recommendation of U.S. Magistrate Robert A. McQuaid, Jr. (#99¹) filed on April 7, 2009, recommending granting Defendants' Motion to Dismiss Defendant Forschauer and denying the Motion to Dismiss Defendant Baca (#75) filed on January 26, 2009. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (#101) on April 22, 2009, Defendants filed their Response to Plaintiff's Objection to the Magistrate Judge's Report and Recommendation on May 6, 2009 (#103), and Plaintiff filed his Reply² (#106) on May 26, 2009, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

¹Refers to court's docket number.

²Plaintiff filed a Motion for Enlargement of Time (#105) to reply to Defendants' response to Plaintiff's Objections to Magistrate Judge's Report and Recommendation. Plaintiff's motion is granted and his Reply (#106) shall be accepted as timely filed.

1 The Court has conducted its *de novo* review in this case, has fully considered the objections
2 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record
3 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate
4 Judge's Report and Recommendation (#99) filed on April 7, 2009, should be adopted and accepted.

5 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
6 (#99) filed on April 7, 2009, is adopted and accepted, and Defendant's Motion to Dismiss (#75) is
7 granted in part and denied in part. Defendant's Motion to Dismiss as to Defendant Froschauer is
8 granted and as to Defendant Baca is denied.

9 IT IS SO ORDERED.

10 DATED this 10th day of September, 2009.

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14 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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